

# Final Proposed GNSO Council Agenda 16 June 2021

Please note that all documents referenced in the agenda have been gathered on a Wiki page for convenience and easier access: <https://community.icann.org/x/1YG1CQ>

This agenda was established according to the [GNSO Operating Procedures](#) v3.5, updated on 24 October 2019

For convenience:

- An excerpt of the ICANN Bylaws defining the voting thresholds is provided in Appendix 1 at the end of this agenda.
- An excerpt from the Council Operating Procedures defining the absentee voting procedures is provided in Appendix 2 at the end of this agenda.

GNSO Council meeting held 10:30 UTC

Coordinated Universal Time: 10:30 UTC: <https://tinyurl.com/4wy66z7y>

03:30 Los Angeles; 06:30 Washington; 11:30 London; 12:30 Paris; 13:30 Moscow; 20:30 Melbourne

GNSO Council Meeting Remote Participation:

Councilors should notify the GNSO Secretariat in advance if they will not be able to attend and/or need a dial out call.

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## Item 1: Administrative Matters (10 mins)

1.1 - Roll Call

1.2 - Updates to Statements of Interest

1.3 - Review / Amend Agenda

1.4 - Note the status of minutes for the previous Council meetings per the GNSO Operating Procedures:

[Minutes](#) of the GNSO Council meeting on 22 April 2021 were posted on 06 May 2021.

[Minutes](#) of the GNSO Council meeting on 20 May 2021 were posted on 03 June 2021.

## Item 2: Opening Remarks / Review of Projects & Action List (10 minutes)

2.1 - Review focus areas and provide updates on specific key themes / topics, to include review of [Projects List](#) and [Action Item List](#).

## Item 3: Consent Agenda (0 minutes)

- None

## Item 4: COUNCIL VOTE - Initiation of the GNSO Framework for Continuous Improvement Pilot Project (15 minutes)

The GNSO Council has sought an approach to address work that focuses on GNSO structural, procedural and process improvement related work. Council leadership consulted with Stakeholder Group and Constituency Chairs on how to handle a number of items in the Council's Action Decision Radar in the 0-1 month timeframe. Council leadership proposed the creation of a GNSO Framework for Continuous Improvement, to help provide structure to manage the numerous non-PDP related efforts.

Based on initial feedback from Councilors and other GNSO stakeholders, a much more detailed draft document was prepared and [shared](#) on 2 March 2021, which provides additional information about the structure and potential work assignments. Input was sought from the Council and SG/C Chairs. Taking into account input, an updated proposal was circulated to the Council and SG/C Chairs on 26 May 2021 (see <https://mm.icann.org/pipermail/council/2021-May/024730.html>). This [updated proposal](#) includes a proposed pilot (see section 4 of the proposal) which allows for a more limited roll out of the Framework from which lessons can be drawn and possible updates can be made, should the Council and GNSO community decide that it is worthwhile to continue.

As a result of initiating the pilot, the items that are expected to be addressed as part of the Framework (including WS2, Policy & Implementation, PDP 3.0, Empowered Community, ATRT3, GNSO Review) will be moved to a section in the ADR with no timeframe associated with them, as the timing will be determined as a result of the pilot. However, this does not prevent the Council from determining that one or more of these items needs to be addressed in a different manner before the pilot concludes, for example, as a result of external factors or changes in the dependencies that were identified (see [section 5](#)).

Here, the Council will vote to initiate the GNSO Framework for Continuous Improvement as a pilot project, which also provides a near term path for items captured in the framework that also reside on the Council's Action Decision Radar.

4.1 Presentation of [motion](#) (Tatiana Tropina, Council vice-chair)

4.2 Council discussion

4.3 Council vote (Voting Threshold: simple majority vote of each House)

#### **Item 5: COUNCIL DISCUSSION - Potential Next Steps for the Internationalized Domain Names (IDN) Operational Track (20 minutes)**

The IDN Implementation Guidelines are mainly directed at gTLD registries that offer IDN registrations, though there are contractual requirements for both registries (see Specification 6, 1.4 here <https://www.icann.org/resources/pages/registries/registries-agreements-en>) and registrars (see Additional Registrar Operation Specification, section 3 here: <https://www.icann.org/resources/pages/approved-with-specs-2013-09-17-en>). The contractual provisions in both agreements note that the Guidelines, "may be amended, modified, or superseded from time to time."

To develop v. 4.0 of the guidelines, similar to past revision processes, a community expert working group was convened in 2015, which was comprised of members from the ALAC, ccNSO, GNSO, and SSAC. The working group produced two draft versions for public comment and developed a [Final Proposed Draft v. 4.0](#) in May of 2018. The ICANN Board anticipated adopting the IDN Guidelines v. 4.0 as part of its consent agenda for the 3 May 2019 meeting, but the GNSO Council [requested](#) that the vote be deferred, due in part to concerns around the process, as well as specific requirements within the guidelines (e.g., "same entity" requirement on second level registrations, which are in both the guidelines and the Variant TLD Recommendations). The ICANN Board [agreed](#) to the deferral, allowing the GNSO Council additional time to consider the matter.

In August of 2020, the Council approved as part of its consent agenda that the Contracted Parties House (CPH) should work with ICANN org to propose potential changes to IDN Guidelines. It was later determined that ICANN org was not the proper party to negotiate amendments to the IDN Guidelines 4.0. The CPH has considered the best approach for the guidelines, taking into account the overlap in subject matter between the guidelines and the IDNs EPDP that the Council initiated in May of 2021. The Councilors from the CPH provided a [letter](#) to Council on 4 June 2021 suggesting a path forward, as well as rationale for why the Council should follow that path. In addition, a [draft letter](#) from the Council to the Board was shared, that could be used as a starting point if the Council agrees to the suggested path forward.

Here, the Council will receive a briefing from the CPH Councilors on the proposed path forward for addressing the IDN Guidelines 4.0.

5.1 - Introduction of the topic (Kurt Pritz) [Slide deck](#)

5.2 – Council discussion

5.3 – Next steps

#### **Item 6: COUNCIL DISCUSSION - Accuracy Scoping Team (5 minutes)**

During its October 2020 meeting, the GNSO Council confirmed its intent to launch a scoping team on the topic of accuracy based on a proposal from the previous Council leadership team (see [here](#) for the proposal). On 4 November 2020, the GNSO Council [wrote](#) to ICANN org, requesting the preparation of a briefing document outlining both the existing accuracy requirements and programs as well as the impact that GDPR has had on implementing and enforcing the identified requirements and programs. This briefing is intended to inform an accuracy scoping team that the GNSO Council envisioned initiating, which would be tasked with furthering the community's understanding of the issue and assist in scoping and defining the issue (see [here](#)). On 10 December 2020, ICANN org [responded](#) to confirm its understanding of the request and to commit to delivering that briefing by 26 February 2021. ICANN org timely delivered the [briefing](#). In addition to the briefing providing an overview of accuracy requirements and programs and the impact of GDPR on these, ICANN org also included a suggestion that a study to measure accuracy of registration data might be beneficial. In parallel to the request for the briefing, ICANN SO/AC/SG/Cs were requested to start thinking about whether their groups would be interested to participate in a scoping team once created. To date, the BC, ISPCP, RySG, IPC and GAC have expressed an interest and identified potential volunteers with relevant knowledge and expertise. The Council discussed this briefing and potential next steps during its Extraordinary Meeting on 08 April 2021. Following the meeting, Council leadership, with the support of the GNSO Support Staff, worked together to develop a set of [proposed next steps](#) for dealing with the topic of accuracy, which was shared on 23 April 2021.

Feedback was sought from Councilors by 07 May 2021 and the topic was discussed again during the Council's May meeting. The Council agreed to convene a small team to refine the proposed next steps, particularly around clarifying the remit of the eventual scoping team.

Here, the Council will receive an update from that small team on progress made.

6.1 – Introduction of topic (Pam Little, Council vice-chair)

6.2 – Council discussion

6.3 – Next steps

#### **Item 7: COUNCIL DISCUSSION - Interactions With the GAC (20 minutes)**

In their respective roles, the Generic Names Supporting Organization (GNSO) responsible for developing gTLD policy and the Governmental Advisory Committee (GAC) providing input to the ICANN Board on issues of public policy, the two groups determined that there was an opportunity to improve coordination and cooperation. In recognition of that opportunity, the GAC and GNSO jointly established a consultation group to explore ways for the GAC to engage early in the GNSO Policy Development Processes (PDP) and to improve overall cooperation between the two bodies, commencing that work in December 2013. That group delivered its [Final Report](#) on 10 October 2016 and its recommendations have since been integrated into the processes of both of the groups (e.g., early engagement, GNSO liaison to the GAC). Beyond these specific improvements, the GNSO and GAC engage on a periodic basis, at every ICANN meeting.

As the former GNSO Council liaison to the GAC indicated in his [annual report](#) from 2020, it may be timely to evaluate the effectiveness of the recommendations as well as the changed dynamic in the way that GNSO and the GAC interact, as well as the way the GAC engages in GNSO processes. For instance, the GAC now participates directly in PDPs and in some limited instances, PDP leaders have engaged directly with the GAC. Does this change in engagement impact the need or the nature of the role of the GNSO liaison to the GAC? Additionally, how can the bilateral meetings between the GNSO and GAC be made more productive? The former liaison recommended that the incoming liaison be allowed some time to form an informed view of what works, what does not work, and what the challenges are (to be covered under 7.2).

Here, the Council will receive an update from the current GNSO liaison to the GAC and reflect and discuss ways in which the interactions with the GAC work well or could be improved.

7.1 – Introduction of topic (Council leadership)

7.2 - Update and input from the GNSO Council liaison to the GAC -[Slide Deck](#)

7.3 – Council discussion

7.4 – Next steps

#### **Item 8: COUNCIL UPDATE - Status Update Regarding EPDP Phase 2A (5 minutes)**

On 21 October 2020, the GNSO Council approved the [initiation](#) of EPDP Phase 2A, to examine the topics of legal/natural and feasibility of unique contacts. In doing so, the Council required that:

"[a]t the latest 3 months after reconvening, the Chair of the EPDP Team and GNSO Council Liaison to the EPDP will report back to the GNSO Council on the status of deliberations. Based on this report, which is expected to include an update on progress made and the expected likelihood of consensus recommendations, the GNSO Council will decide on next steps, which could include providing additional time for the EPDP to finalize its recommendations or termination of the EPDP if it is clear that no progress is being made or consensus is unlikely."

During the March Council meeting, the Chair of the EPDP Team and GNSO Council Liaison to the EPDP shared a [presentation](#) and provided an update to the Council. The Council agreed that more time should be afforded to continue to make progress. The EPDP Team has since received responses from Bird & Bird to the EPDP Team's Legal Committee's questions and considered that feedback in progressing its work. The EPDP Team published its [Initial Report for public comment](#) on 3 June 2021, which includes preliminary recommendations as well as questions for community input.

Here, the GNSO Council Liaison to the EPDP will provide a brief update on the EPDP Team's progress.

8.1 – Introduction of topic (Philippe Fouquart, GNSO Council liaison)

8.2 – Council discussion

8.3 – Next steps

#### **Item 9: COUNCIL DISCUSSION - EPDP Phase 1 Rec 27 (Wave 1.5) (15 minutes)**

Recommendation 27 from the EPDP Phase 1 [Final Report](#), "... recommends that as part of the implementation of these policy recommendations, updates are made to the following existing policies / procedures, and any others that may have been omitted, to ensure consistency with these policy recommendations as, for example, a number of these refer to administrative and/or technical contact which will no longer be required data elements." In support of this recommendation, ICANN org prepared the Wave 1 report, an updated version of which was shared with the Council on 19 February 2020. ICANN org has performed additional analysis for recommendation 27, resulting in the [Wave 1.5 Report](#) that focuses on Privacy and Proxy Services Accreditation Issues (PPSAI) and Translation and Transliteration of Contact Information (T/T) policy recommendations, for which implementation has been started but not completed.

For the Wave 1 Report, the staff support team conducted a first analysis of the report, identifying possible next steps for Council consideration that the Council subsequently reviewed to determine next steps. After discussing during the Council's Extraordinary Meeting in April of 2020, the Council agreed to seek input from ICANN's Global Domains Division (GDS) staff to determine the estimated level of effort to complete the implementation of the PPSAI IRT and the interest and availability to reconvene the IRT.

Here, the Council will discuss the [input](#) from GDS staff to help determine next steps.

9.1 – Introduction of topic (Council Leadership)

9.2 – Council discussion

9.3 – Next steps

#### **Item 10: ANY OTHER BUSINESS (20 minutes)**

10.1 - Review of topics to discuss with the ICANN Board

10.2 - GNSO Council Liaison to IDNs EPDP

10.3 - Open Microphone

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Appendix 1: GNSO Council Voting Thresholds (ICANN Bylaws, Article 11, Section 11.3(i))

See <https://www.icann.org/resources/pages/governance/bylaws-en/#article11>.

Appendix 2: GNSO Council Absentee Voting Procedures (GNSO Operating Procedures, Section 4.4)

See <https://gnso.icann.org/sites/default/files/file/field-file-attach/op-procedures-30jan18-en.pdf>

References for Coordinated Universal Time of 12:30 UTC

Local time between November and March Winter in the NORTHERN hemisphere

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California, USA (PDT) UTC-7 03:30

San José, Costa Rica (CST) UTC-6 04:30

New York/Washington DC, USA (EDT) UTC-4 06:30

Buenos Aires, Argentina (ART) UTC-3 07:30

Rio de Janeiro, Brazil (BRST) UTC-3 07:30

London, United Kingdom (GMT) UTC+1 11:30

Kinshasa, Democratic Republic of Congo (WAT) UTC+1 11:30

Paris, France (CEST) UTC+2 12:30

Moscow, Russia (MST) UTC+3 13:30

Singapore (SGT) UTC+8 18:30

Melbourne, Australia (AEDT) UTC+11 20:30  
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DST starts/ends on Sunday 31 October 2021, 2:00 or 3:00 local time (with exceptions) for EU countries and on Sunday 7 November 2021 for the US.

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For other places see <http://www.timeanddate.com> and <https://tinyurl.com/4wy66z7y>